

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-206

June 4, 1998

CHINA, MAINE AND STANDISH TELEPHONE
COMPANIES (UTILITIES, INC.)
Request for Approval of Reorganization
and Sale of Affiliate (§708)

ORDER APPROVING
REORGANIZATION AND SALE
OF AFFILIATE

WELCH, Chairman; NUGENT, Commissioner

On March 18, 1998 China Telephone Company, Maine Telephone Company and Standish Telephone Company, each a wholly-owned subsidiary of Utilities, Inc., (collectively UI or the companies) requested the Commission's approval of its sale of another UI subsidiary, Western Maine Cellular, Inc. (WMC) to MRCC, Inc., a Maine Corporation. The creation of WMC was approved by the Commission in Docket No. 90-216, dated December 12, 1990. This Order approves the companies' request.

WMC is a cellular telecommunications provider licensed by the Federal Communications Commission (FCC) to provide cellular telephone service in Franklin and Oxford Counties (RSA #1). Cellular telecommunications is not regulated by the Commission and as such our review of the proposed transaction is limited to determining whether the transaction would be adverse to the interests of utility ratepayers and investors. Since WMC's facilities and finances are separate from those of the UI Companies, we see no adverse impact for the companies' ratepayers or investors resulting from our approval of the proposed sale of WMC to MRCC, Inc. We, therefore, approve the companies' request. In addition, we note that the FCC has also recently approved the transfer of control to MRCC, Inc.

In approving this reorganization, consistent with normal practice and pursuant to 35-A M.R.S.A. § 708(2), the Commission will retain jurisdiction over all significant changes in the relationships between and among the UI Telephone Companies and their affiliates and any transactions between or among them.

Accordingly, we

O R D E R E D

1. That the request of China Telephone Company, Maine Telephone Company and Standish Telephone Company (the UI telephone companies) for approval to sell the wholly-owned subsidiary, Western Maine Cellular, Inc. to MRCC, Inc. as described in its filing of March 18, 1998, is approved.

2. That a copy of this Order be mailed to interested parties and this Docket be closed.

Dated at Augusta, Maine this 4th day of June, 1998.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: WELCH
NUGENT

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.